

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL NELSON,

Plaintiff,

v.

FOSTER POULTRY FARMS, et.,

Defendants.

Case No. 1:21-cv-00222-JLT-BAM

**ORDER GRANTING JOINT  
STIPULATION TO CONTINUE  
SCHEDULING CONFERENCE**

(Doc. 23)

On June 7, 2022, the parties filed a joint stipulation to continue the Scheduling Conference set for June 15, 2022, an additional six months. (Doc. 23.) According to the stipulation, following denial of Plaintiff Michael Nelson's motion to remand, the parties met and conferred regarding potential dismissal of claims that were preempted by the applicable collective bargaining agreement, as well as the dismissal of individual defendants, but could not reach an agreement. The parties explain that Plaintiff intends to dismiss his claims for breach of express oral contract not to terminate without good cause and breach of implied-in-fact contract not to terminate without good cause, and subsequently move to remand the case back to state court. To accommodate Plaintiff's anticipated motion practice, and in an effort to prevent undue waste of the parties' and the court's resources, the parties request that the Scheduling Conference be continued six months. (*Id.*)

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1 Having considered the parties' stipulation, and cause appearing, the Scheduling  
2 Conference currently set for 6/15/2022 is HEREBY CONTINUED to **December 15, 2022, at**  
3 **9:00 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe.** The  
4 parties shall file a Joint Scheduling Report one week prior to the conference. The parties shall  
5 appear at the conference with each party connecting remotely either via Zoom video conference  
6 or Zoom telephone number. The parties will be provided with the Zoom ID and password by the  
7 Courtroom Deputy prior to the conference. The Zoom ID number and password are confidential  
8 and are not to be shared. Appropriate court attire required.

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10 IT IS SO ORDERED.  
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Dated: June 8, 2022

/s/ *Barbara A. McAuliffe*  
12 UNITED STATES MAGISTRATE JUDGE  
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